



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,930	08/25/2000	Walter Solomon	P1005	8705

7590 04/11/2003

D. Scott Hemingway  
The Law Offices of D. Scott Hemingway  
800 Preston Commons West  
8117 Preston Road  
Dallas, TX 75225

EXAMINER

ART UNIT

PAPER NUMBER

3643

DATE MAILED: 04/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



# UNITED STATES PATENT AND TRADEMARK OFFICE

U. S. SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK  
WASHINGTON, DC  
www.uspto.gov

Paper No. \_\_\_\_\_

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 7-9-01 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G., Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RESUBMIT THE ENTIRE AMENDMENT):

- 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: \_\_\_\_\_

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Legal Instruments Examiner (LIE)

(Rev. 12/01)

## SAMPLE AMENDMENT FORMAT

Conventional Heading Information  
for Amendment Supplied Here (Applicant, Appl. No., etc)

### AMENDMENT

Sir:

In response to the Office action of October 10, 2000, please amend the above-identified application as follows:

#### In the Specification:

Please replace the paragraph beginning at page 5, line 15, with the following rewritten paragraph:

-- In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars. --

#### In the claims:

Please cancel claim 6.

Please amend claim 7 as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 watts and the weight of the grill member is about 3.5 kg.

---

(Page Break)

### REMARKS/ARGUMENTS

Claims 1-5 and 7-10 remain in this application. Claim 6 has been canceled. Claim 7 has been amended.

Claims.....

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

SIGNATURE \_\_\_\_\_

---

(Page Break)

### VERSION WITH MARKINGS TO SHOW CHANGES MADE

#### In the specification:

Paragraph beginning at line 15 of page 5 has been amended as follows:

In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars.

#### In the claims:

Claim 6 has been canceled.

Claim 7 has been amended as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 ~~1600~~ watts and the weight of the grill member is about 3.5 kg.